

## **COMBINED DECLARATION, POWER OF ATTORNEY AND PETITION**

I, the inventor,

Name: Robert F. OURY  
Residence: Gilberts, Illinois  
Post Office Address: 39w495 Freeman Rd.  
Gilberts, Illinois 60136  
Citizenship: United States of America

declare that I have reviewed and understand the contents of the attached specification and claims and I verily believe that I am the original, first and sole inventor or discoverer of the invention or discovery in

### **SYSTEM AND METHOD FOR ELEVATING A SUPPORT POST**

described and claimed in the attached specification; that this application discloses and claims subject matter disclosed in our earlier filed provisional application of which we hereby claim the benefit under 35 U.S.C., Section 120, Serial No. 60/450,398, filed 26 February 2003; that as to the subject matter of this application which is common to any said earlier application(s), we do not know and do not believe that the same was ever known or used in the United States before our invention or discovery thereof; that to the best of our knowledge and belief the invention of said common subject matter has not been in public use or on sale in the United States more than one year prior to the earliest of said application(s) or patented or described in any printed publication in any country before our invention thereof or more than one year prior to the earliest of said application(s), or patented or made the subject of an inventors' certificate in any foreign country prior to the date of the earliest of said application(s) on an application filed by ourselves or our legal representatives or assigns more than twelve months prior to the earliest of said application(s) in this country; and that no application for patent or inventors' certificate on the invention or discovery of said common subject matter has been filed by us or our legal representatives or assigns in any country foreign to the United States, except as follows:

None

**COMBINED DECLARATION, POWER  
OF ATTORNEY AND PETITION**

**POWER OF ATTORNEY**

I hereby appoint the following attorneys to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith:

Thomas W. Speckman	Registration No. 22,617
Douglas H. Pauley	Registration No. 33,295
Maxwell J. Petersen	Registration No. 32,772
Nick C. Kottis	Registration No. 31,974
Kevin D. Erickson	Registration No. 38,736
Roland W. Norris	Registration No. 32,799
Melanie I. Rauch	Registration No. 40,924
Eric T. Krischke	Registration No. 42,769
Margaret M. Crosby	Registration No. 40,969
Mark D. Swanson	Registration No. 48,498
Janine A. Moderson	Registration No. 50,981

**SEND CORRESPONDENCE TO:**

Kevin D. Erickson  
Pauley Petersen & Erickson  
2800 West Higgins Road; Suite 365  
Hoffman Estates, Illinois 60195  
TEL (847) 490-1400  
FAX (847) 490-1403

**DIRECT TELEPHONE CALLS TO:**

Kevin D. Erickson  
(847) 490-1400  
(847) 490-1403 - Fax

**PETITION**

Wherefore I Pray that Letters Patent be granted to me for the invention or discovery described and claimed in the attached specification and claims, and I hereby subscribe my name to the attached specification and claims, Declaration, Power of Attorney and this Petition.

**COMBINED DECLARATION, POWER  
OF ATTORNEY AND PETITION**

**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

20 FEB 2004  
Date

Robert F. Oury  
Robert F. OURY

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS**  
**(37 CFR 1.9(d) & 1.27(d))-SMALL BUSINESS CONCERN**

Docket Number  
**R11-101**
Applicant or Patentee: **Robert F. OURY**

Serial or Patent No.: \_\_\_\_\_

Filed or Issued: \_\_\_\_\_

Title: **SYSTEM AND METHOD FOR ELEVATING A SUPPORT POST**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN **Rotec Industries, Inc.**  
 ADDRESS OF SMALL BUSINESS CONCERN **333 West Lake Street**  
**Elmhurst, Illinois 60126**

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☒ the specification filed herewith with title as listed above.  
☐ the application identified above.  
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(e) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(a).

Each person, concern or organization having any rights in the invention is listed below:

- ☒ no such person, concern or organization exists.  
☐ each such person, concern or organization is listed below:

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING \_\_\_\_\_

TITLE OF PERSON IF OTHER THAN OWNER \_\_\_\_\_

ADDRESS OF PERSON SIGNING **333 West Lake Street, Elmhurst, Illinois 60126**

SIGNATURE

*Robert F. Oury*

DATE

**20 FEB 2004**